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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/595,376

04/13/2006

Vincent Nikkelen

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03/17/2008

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EXAMINER

BATISTA, MARCOS

ART UNIT

PAPER NUMBER

4134

MAIL DATE

DELIVERY MODE

03/17/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/595,376 | <b>Applicant(s)</b><br>NIKKELEN, VINCENT |  |
|                              | <b>Examiner</b><br>MARCOS BATISTA    | <b>Art Unit</b><br>4134                  |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/13/2006, 01/24/2007</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong (US 5408419 A), hereafter "Wong," in view of Miloushev et al. (US 20020120763 A1), hereafter "Miloushev."

Consider claim 15, Wong discloses a method of reducing signaling and processing requirements in a mobile communication network having a plurality of defined neighboring telecommunication servers, said method comprising the steps of (see Col. 3 lines 39-45, Col. 8 lines 16-31): Wong also discloses receiving and storing the start-up server's capability and configuration information in each of the defined neighboring servers (see Col. 8 lines 49-64). Wong further teaches receiving the start-up server's capability and configuration information, sending capability and configuration information for each of the defined neighboring servers from the defined neighboring servers to the start-up server (see Col. 8 lines 33-64). Wong also teaches determining by the first server, whether a given defined neighboring server supports the service, based upon the capability and configuration information for the given neighboring server

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that the first server has received from the given defined neighboring server (see Col. 8 lines 16-21). Wong also teaches upon determining that the given neighboring server does not support the service, discarding the information (see Col. 8 lines 16-26). Wong further teaches upon determining that the given defined neighboring server supports the service, sending from the first server to the given defined neighboring server, information relating to the initiated service (see Col. 9 lines 26-35).

Wong discloses exchanging configuration information between neighboring mobile switching centers or MSCs in order to keep an up to date record of the supported configuration of adjacent MSCs. This record will help in the prevention of wasting resources since each MSC will know before hand what services are supported by the neighboring MSCs and can direct a request for service to the appropriate mobile exchange as stated above, But Wong does not particular refer to automatically distributing capability and configuration information between the servers whenever one of the servers is started up, said distributing step including or starting-up one of the servers or automatically sending the capability and configuration information for the start-up server, from the start-up server to defined neighboring. Miloushev, in network computer system, teaches exchanging configurations information between computers upon startup (see [0302]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Wong and have it include automatically distributing capability and configuration information between the servers whenever one

of the servers is started up, said distributing step including and starting-up one of the servers and automatically sending the capability and configuration information for the start-up server, from the start-up server to defined neighboring, as taught by Miloushev. The motivation would have been in order to ensure data integrity, proper operation and synchronization of their configurations (see [0302]).

Consider claims 16, 17 and 18 Wong, as modified by Miloushev teaches claim 15 above. Wong also teaches the telecommunication servers are Mobile Switching Centers (MSCs), and the capability and configuration information sent by a given MSC includes an indication of a version of an industry standard with which the given MSC is compliant, together with exceptions for any capabilities of the version of the standard that are not supported by the given MSC (see Col. 8 lines 26-31 and lines 39-59).

Consider Claim 19, this is an apparatus claim corresponding to claim 15. Therefore this has been analyzed and rejected under claim 15 above.

Consider claims 20 and 21, Wong, as modified by Miloushev teaches claims 15 and 19 above. Miloushev also teaches Miloushev, in network computer system, teaches exchanging configurations information between computers upon their startup or when the configuration changes (see [0302]). The motivation would have been in order to ensure data integrity, proper operation and synchronization of their configurations (see [0302]).

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Marcos Batista, whose telephone number is (571) 270-5209. The Examiner can normally be reached on Monday-Thursday from 8:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lun-Yi Lao can be reached at (571) 272-7671. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*Marcos Batista*  
/M. B./  
02/12/2008

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/Lun-Yi Lao/

Supervisory Patent Examiner, Art Unit 4134